

ASSEMBLY BILL

No. 492

Introduced by Assembly Member Conway

February 24, 2009

An act to amend Section 87482 of the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 492, as introduced, Conway. Community colleges: nursing faculty.

(1) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts, administered by a governing board, throughout the state, and authorizes these districts to provide instruction to students at the community college campuses maintained by the districts.

Existing law authorizes the governing board of a district to employ a person serving as full-time faculty or part-time faculty but prohibits employment of a person as a temporary faculty member by any one district for more than 2 semesters or 3 quarters, except that a person serving as full-time or part-time clinical nursing faculty may be employed as a temporary faculty member for up to 4 semesters or 6 quarters within any period of 3 consecutive years between July 1, 2007, and June 30, 2014. Existing law prohibits a district from employing a person pursuant to that nursing faculty exception if the hiring of that person results in an increase in the ratio of part-time to full-time nursing faculty in that district.

This bill would revise that exception to authorize the employment of a clinical nursing faculty member as a temporary faculty member for up to the total number of semesters or quarters within any period of 3 consecutive academic years. The bill would also delete that hiring limitation that prevents an increase in the ratio of part-time to full-time nursing faculty in a district.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The majority of available nursing program slots are at the
4 community college level for an associate degree.

5 (b) California Community Colleges graduated almost two-thirds
6 of nursing students in the 2005–06 school year.

7 (c) According to a 2007 California Board of Registered Nursing
8 (BRN) study, California nursing programs received 28,410 eligible
9 applications for only 11,000 first-year slots for the 2005–06 school
10 year. Therefore, there was a capacity to accommodate less than
11 40 percent of the applications received.

12 (d) According to the BRN study, the nursing faculty vacancy
13 rate is growing statewide.

14 (e) California has an aging population and the demand for
15 registered nurses is expected to increase.

16 (f) Fifty-three percent of registered nurses provide direct care
17 to patients, 18 percent serve as supervisors or managers of health
18 care personnel, and 29 percent work in fields such as education,
19 research, and consulting.

20 (g) Fifty-five percent of the state's registered nurses received
21 their nursing education in this state.

22 (h) All California registered nurses must have a license issued
23 by the BRN, in addition to graduating from an approved nursing
24 program and passing the national licensing examination.

25 SEC. 2. Section 87482 of the Education Code is amended to
26 read:

27 87482. (a) (1) Notwithstanding Section 87480, the governing
28 board of a community college district may employ any qualified
29 individual as a temporary faculty member for a complete school

1 year but not less than a complete semester or quarter during a
2 school year. The employment of those persons shall be based upon
3 the need for additional faculty during a particular semester or
4 quarter because of the higher enrollment of students during that
5 semester or quarter as compared to the other semester or quarter
6 in the academic year, or because a faculty member has been granted
7 leave for a semester, quarter, or year, or is experiencing long-term
8 illness, and shall be limited, in number of persons so employed,
9 to that need, as determined by the governing board.

10 (2) Employment of a person under this subdivision may be
11 pursuant to contract fixing a salary for the entire semester or
12 quarter.

13 (b) ~~No~~ A person, other than a person serving as clinical nursing
14 faculty and exempted from this subdivision pursuant to paragraph
15 (1) of subdivision (c), shall *not* be employed by any one district
16 under this section for more than two semesters or three quarters
17 within any period of three consecutive years.

18 (c) (1) Notwithstanding subdivision (b), a person serving as
19 full-time clinical nursing faculty or as part-time clinical nursing
20 faculty teaching 60 percent or more of the hours per week
21 considered a full-time assignment for regular employees may be
22 employed by any one district under this section for up to ~~four~~ *the*
23 *total number of* semesters or ~~six~~ quarters within any period of three
24 consecutive academic years ~~between July 1, 2007, and June 30,~~
25 ~~2014, inclusive.~~

26 (2) A district that employs faculty pursuant to this subdivision
27 shall provide data to the chancellor's office as to ~~how many the~~
28 *number of* faculty members were hired under this subdivision, and
29 what the ratio of full-time to part-time faculty was for each of the
30 three academic years prior to the hiring of faculty under this
31 subdivision and for each academic year for which faculty is hired
32 under this subdivision. This data shall be submitted, in writing, to
33 the chancellor's office on or before June 30, 2012.

34 (3) The chancellor shall report, in writing, to the Legislature
35 and the Governor on or before September 30, 2012, in accordance
36 with data received pursuant to paragraph (2), ~~how many the number~~
37 *of districts that* hired faculty under this subdivision, ~~how many the~~
38 *number of* faculty members ~~were~~ hired under this subdivision, and
39 ~~what~~ the ratio of full-time to part-time faculty was for these districts
40 in each of the three academic years prior to the operation of this

- 1 subdivision and for each academic year for which faculty is hired
- 2 under this subdivision.
- 3 ~~(4) A district may not employ a person pursuant to this~~
- 4 ~~subdivision if the hiring of that person results in an increase in the~~
- 5 ~~ratio of part-time to full-time nursing faculty in that district.~~